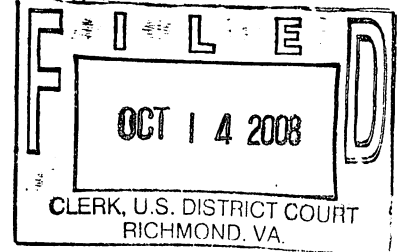


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JOHN W. STINSON, JR.,

Petitioner,

v.

CIVIL ACTION NO. 3:08CV463

PATRICIA R. STANSBERRY,

Respondent.

MEMORANDUM OPINION

Petitioner, proceeding pro se, submitted a petition for a writ of habeas corpus. By Memorandum Order on August 7, 2008, the Court directed Petitioner, within fifteen days of the date of entry thereof, to complete and return an affidavit in support of his request to proceed in forma pauperis. More than fifteen (15) days have passed and Petitioner has not returned the required in forma pauperis affidavit.

Petitioner has failed to pay the assessed fee or adequately explain any special circumstances warranting excuse from payment. Accordingly, the petition will be DISMISSED WITHOUT PREJUDICE.

The Clerk is DIRECTED to send a copy of the Memorandum Opinion to Petitioner.

An appropriate Order shall issue.

_____/s/ *REP*
Robert E. Payne
Senior United States District Judge

Dated: October 10, 2008
Richmond, Virginia